

REMARKS

Claims 1–19 were in the application as last examined, with claims 1–8 and 19 deemed withdrawn by restriction. Claims 1, 6, 7, 9, and 14 are amended. No new matter is added by the foregoing amendments. Applicants respectfully request further consideration and examination of all of the claims in accord with the following remarks.

Interview

The courtesy of the Examiner during the telephone interview with the undersigned on August 19, 2009 is acknowledged with thanks and appreciation. During the interview, Applicants presented and discussed the foregoing amendments. It is noted that the discussed amendment to claims 6 and 7 regarding "electrochemical machining" had already been presented and accepted in an earlier amendment. The restriction requirement was discussed during which the Examiner indicated that he understood Applicants' position regarding unity of invention. And without reaching agreement, the proposed amendments were discussed in view of Goetzke et al. '094.

Restriction

Applicants respectfully request reconsideration of the restriction. Applicants carry forward the prior arguments regarding restriction this case. It is Applicants' position that the special technical feature in all of the claims that is believed to define over the prior art is a one-piece body having first and second longitudinal axes at an angle other than 180 degrees that intersect at the center point of an enlarged cavity. Claim 1 is drawn to the body having the special technical feature. Claim 6 is drawn to a method of making the special technical feature in a body. Claims 9 and 14 are drawn to applications that include a body with the special technical feature. Because the special technical feature is common to all of the claims, the requirements for unity of invention are met, and the restriction is improper. Withdrawal of the restriction is respectfully requested.

Rejections under 35 U.S.C. §102

Claims 9–18 stand rejected under 35 U.S.C. §102 as being anticipated by Goetzke et al. '094. The rejection is respectfully traversed.

The arguments presented in the response filed April 30 are carried forward here. As noted during the interview, the annular groove or chamber in Goetzke et al. '094 relied upon by the Examiner as the enlarged cavity of the claims is at the intersection of two separate pieces. It is well known to machine a groove into two adjacent pieces so that when the pieces are joined, the adjacent grooves form an enclosed chamber. Applicant's invention is a cavity *in* a one-piece body, not *at* the intersection of two pieces. Moreover, the intersection of the conduits in Goetzke et al. '094 is clearly *not* at the center point of the asserted chamber; rather it is offset. Yet further, what the Examiner asserts is the chamber is not generally spherical; it is annular. For all of these reasons, Goetzke et al. '094 does not anticipate claims 9–18 because it lacks the foregoing claimed features. The Examiner appeared to agree during the interview.

Moreover, one cannot say that the teaching of Goetzke et al. '094 would render the claims obvious under 35 U.S.C. §103. Goetzke et al. '094 says nothing about placing the structure inside a body instead of at the intersection of two pieces. In fact, Goetzke et al. '094 says nothing at all about the construction. The teaching of Goetzke et al. '094 alone would not lead one of ordinary skill to the claimed invention. The claims are believed to be patentable over Goetzke et al. '094.

Serial No. 10/501,274
Filed: July 8, 2004
Page 7 of 7

Examiner: Trevor E. McGraw
Conf. No.: 5226

CONCLUSION

Early notification of allowability is respectfully requested. If there are any remaining issues which the Examiner believes may be resolved in an interview, the Examiner is respectfully invited to contact the undersigned.

Respectfully submitted,

BRENT BROWER ET AL.

Dated: August 21, 2009

By: /Joel E Bair/
Joel E. Bair, Reg. No. 33,356
MCGARRY BAIR PC
32 Market Avenue, S.W., Suite 500
Grand Rapids, Michigan 49503
616-742-3500
jcb@mcgarrybair.com

G0485849.DOC